Ills Father's Mother Said to He Coming From Pennsylvania in Order to Testify That Its Not Insane and Never Has Been, but That He Has Always Meen Wayward.

Mrs. Catherine Herten, one of the principal witnesses in the trial of Edgar C. Burnz in White Plains, lost consciousness yesterday in the witness chair, and had to be removed from the court room. One of the physicians present said he thought she was dying and a report was epread that she had The court was immediately adjourned The widow, as she has been called during the trial, had resumed her testimony at the end of the noon recess. Insemuch as she was the person to whom Burnz had turned when in trouble for over a year previous to the killing of Stationmaster Fellows, and as almost as much of his time was spent in her home as with his own relatives, Mrs. Herten was looked upon as the most importent witness to support the plea of insanity

except the prisoner's mother. She is about 32 years old. She was very pale and exceedingly nervous when she began her testimony yesterday. A long automobile coat which she were tightly buttoned up despite the heat of the crowded court room, covered, as was afterward seen, a prettily seconsted black gown. Her black picture hat relieved only by a bit of yellow trimming, and long black veil combined with her dark hair to bring out stronger in relief the ; sined expression on her white features. Altogether she was on the witness stand almost three hours, and she manifested unmistakable signs of exhaustion. She was moving nervously in her chair shortly before the usual adjournment time when District Attorney Andrews

When Burnz left your house on the night of Dec. 4, 1800 (the night on which Fellows was killed; did he tell you when he expected

Mrs. Herten faitered for the first time during the trial. Then she moved forward suddenly as if about to reply. Instead of that, however, she turned deathly rale, and shricking hysterically she fell partly forward and recled over unconscious into the arms

and receled over unconscious into the arms of a court attendant. There was an uproar in the court room as three of the eight physicians present rushed forward. Judge Keogh arose quickly and adourned court while Mrs. Herten's prostrate form was carried into the library. All attempts to revive her by bathing her temples and forcing fee water down her throat failed. This cutsed and applied other restoratives. Coroner Banning. They removed her heavy clock and applied other restoratives. Coroner Banning of Tuckahoe was unable to discover any heart beat, and he came out in a state of alarm and told the Judge that Mrs. Herten was dying. Meanwhile Drs. de Hart and Simon gave their patient hypodermic injections of nitroglycerine and strychnine. This soon revived her and she was able to be removed to a neighboring hotel. Her illness was diagnosed as syneope, caused by overstraining a weak heart, from which she has suffered severely at times.

During this whole scene young Burnz sat like one paralyzed. He seemed to be entirely oblivious of what had happened. His mother also sat composed while Mrs. Herten was being treated. She sat near her son, but they did not even exchange looks. Indeed, Mabel, the prisoner's sister who ran with ice water to her sick friend, seemed to be the only conscious member of the Burnz family.

Haif an hour after Mrs. Herten collapsed Mrs. Moore, her mother, who was unaware of the incident, came into the courtroom. Mrs Moore, who is handsome and gray-haired, had preceded her daughter on the witness stand. She left court as Mrs. Herten went on. When she returned her face was wreathed in smiles and she carried a number of Christmas presents which she had just purchased. A deputy sheriff told her what

wreathed in smiles and she carried a number of Christmas presents which she had just purchased. A deputy sheriff told her what had occurred and escorted her to the hotel. When the hearing opened in the morning Mrs. Burnz's cross-examination by the prosecution was continued. She had recovered from her shock of Thursday and remained in a good state of composure throughout. She stated that the accused had smoked about eight packages of cigarettes each day for over a year previous to his arrest, and that his conduct had been irrational, inasmuch as he could not apply himself to anything.

much as he could not apply himself to anything.
When she finished it was decided when the day's session was over, to adjourn until Wednesday in order to allow all concerned in the trial to celebrate Christmas. Then the trial went on. Mrs. Marguerite Moore of this city, mother of Mrs. Herten, was then called. She testined to the prisoner's excessive cigarette smoking.
Then Mrs. Herten was called as a witness. Burnz did not look at her as she began. She Then Mrs. Herten was called as a witness. Burnz did not look at her as she began. She had known that the prisoner had smoked cigarettes for nine years, she said. In describing his appearance she said he had looked wild-eyed and haggard and had once pointed a loaded revolver at her, threatening to kill her. He had often staid at her house a month at one time. He had smoked cigarettes constantly. He had showed cigarettes constantly. He had abused her child and once when ill he did not know her. It was when she was relating what he had said to her in her home early in the evening of Fellows's murder that she collapsed.

The following story, reported to have been given out by the prosecution, was circulated yesterday. and having read that Mrs. Burnz had testified that her son's insanity was inherited from his father's mother she is coming to White Plains to testify against this and also that the boy has been wayward all his life.

Prosecutor Andrews told a reporter that it was true that Mrs. Burnz was to be a witness for his side and that if necessary he would go to Pennsylvania in a few days and bring her on.

It was said yesterday that she was anxious to testify that Edgar had never been insane but had acted like a "devil" ever since she first saw him.

### HIS POCKETS FULL OF SILVERWARE. Crook Who Robbed Mrs. Oberworth Nabbed

John Eckert, alias Scheps, an old-time crook whose picture is in the rogues' gallery, was arrested on Wednesday night by Central Office detectives. When searched at Police Headquarters the detectives fished these articles out of his pockets:

Twelve sterling silver forks, five sterling silver tablespoons, five sterling silver teasilver tablespoons, five sterling silver teaspoons, one silver souvenir spoon, gold bowlengraved Maine, Feb. 15, 1898; one silver souvenir spoon, gold bowl; two silver leasurents spoons, one silver berry spoon, gold bowl; one nail file, silver top, engraved with letter D, amethyst stone set on end; one silver butter knife, one silver pie fork, gold prongs; one silver nair brush, engraved D. L. O; one lady's silver hat brush, one pair of scissors, silver handle; one silver hand mirror, one tortoise-shell comb, silver hand mirror, one tortoise-shell comb, silver back; one gold sword stickpin, diamond set in handle.

Mrs. D. L. Oberworth of 21 West 118th

handle.

Mrs. D. L. Oberworth of 21 West 118th street went to Police Headquarters has night and identified the property, with the exception of the stickpin, as hers. She said the silverware was stolen from her rooms on Wednesday while she was out.

### CONTRACTOR DOODY GUILTY. Jury in Perjure frial Brings in a Vordict After

Ten Hours' Deliberation. Daniel Doody, the contractor, was convicted in the County Court in Brooklyn last night of perjury for falsely testifying at the trial of Deputy City Works Commissioner the trial of Peputy City Works Commissioner Robert W. Fielding for malfeasance in office. Doedy's defence was insanity. The charge of Judge Hurd was pronounced by both counsel yesterday to have been thoroughly import. The jury retired at 11 o'clock yesterday morning. During the day they came in several times for instruction. At 6:50 c'clock they brought in a verdict of guilty. Doody was remanded to Raymond Street Jail to await sentence next week.

# Reception to Governor-Elect Odell.

NEWBURGH, N. Y., Dec. 21.-The Newburgh City Club gave a reception to Governor-elect Odell to night at its clubhouse on Third street. The Governor-elect and President t. E. Sweet received the guests. Several State official from other cities were present.

# Snow in Virginia.

PETERSEURG, Va., Dec. 21.-A heavy snow-storm, the first of the winter, set in here about 5 o'clock this morning and continued without intermission until to'clock this after-norm. The ground was covered to a depth of four inches

### CHINATOWN'S WHITE SLAVES. The Rev. C. H. Mend Lays Their Downfall

The Rev. C. H. Mead, a temperance lectirer tho has an office at a West Fourteenth street, delivered a lecture before the Con-gregational Club of New Haven on Thursday night, in which he dwelt on the necessity for radical change in the character of the teaching in Sunday schools. He said that too much attention was paid to preparing members for the life to come and too little to preparing them to meet the dangers of their present existence. In illustration of Street Mis gon, as having said that there His contract, made early in 1895, provided

drink

Dr Furry was not at the Mission last night,
but Will in Queyle, who has charge of its rescue
work, said that the Doctor had probably been work, said that the Doctor had probbly been risun-restood.

"There are about 175 or 200 girls living with Chinamen in Chinatown and some of them have had the advantages of a Christian education," said Mr. Quayle, "I know them all and I know of only one who is the daughter of a clergyman. She came from a little country town and now that she has become a victim of the optum habit, she finds it very hard to get away. There is also one girl here who used to sing in the choir of her church at home. Very few of them are New York girls. They come here usually from the country at the instance of some other girl and they do not know what kind of life they are going into until they get here.

know what kind of life they are going into until they get here.

"Then for one reason or another they remain Usually it is the opium habit that holds them. None of them are under restraint, and oewisionally we are able to rescue one of them. They do not object to our interest in them and if it were not for the hold which opium gets on them it would be very much easier fo reclaim them. For girls of their class, they are not so badly off. The Chinamen are good to them and never beat them. They are really more fortunate in this respect than girls who sell themselves to white men.

"If that were done I believe that more of those who now fall would escape."

### 23D'S NEW OFFICERS IN COMMAND. Gen. Barnes Sworn In by Telephone-Regi-

mental Review, Parade and Dance. Gen. Alfred C. Barnes and Capt. Jasper E. Brady were sworn in as Colonel and Lieuten-ant-Colonel of the Twenty-third Regiment by Gen. James McLeer, commanding the Second Brigade, in Brooklyn yesterday. Gen. Barnes was in his office in Manhattan and telephoned Gen. McLeer, who was in the Municipal Building, Brooklyn, that it was impossible for him to go to Brooklyn. "Holt up your right hand, General," replied

Then he administered the oath and heard Gen. Barnes's response. "That's the first time I ever heard of a National Guard officer being swort, in over ne telephone," said one of the military at-The regiment paraded for review in the Bedford avenue armory last night. The review was taken by Col. Barnes and Lieut-Col. Brady. Later the regiment formed for dress parade and Col. Barnes assumed command. He put the men through a short drill and gave a short take. Dancing followed.

### POISON IN THEIR COFFEE.

#### Two Brakemen Drink It and One Dies -Effort to Find the Dead Man's Wife.

NEW HAVEN, Conn., Dec. 21.-When John F. Hart, aged 45 years, a boarder at the home of William F. Rathburn, 120 Chestnut street, this city, took a mouthful of coffee at 4:45 A. M. to-day he said it had a bitter taste. Both are brakemen on the New York and New Haven road and were having

"That's all right," said Rathburn, "give a drink of it to me. Rathburn drank nearly all the cup. Hart

Rathburn drank nearly all the cup. Hart declined to taste the coffee again, although assured by Rathburn that it was all right. The two left on the same train and got as far as Wallingford, Conn. They were seriously ill and the pair returned to Kathburn's home. Dr. H. F. Klenke prescribed for the sick men. At noon Rathburn died. Hart was sent to the New Haven Hospital and will recover. Coroner Mix and the local detectives are investigating the case. That Brathburn was poisoned seems to be the general impression. Hart has been a boarder in the family tenyears. An autopsy will be made on Rathburn's body to-morrow. An effort to find Mrs. Rathburn late to-night falled.

WIPE MURDERER A SUICIDE.

Warl. Conscience-Stricken. Kills Himself in South Africa.

LARAMIE, Wyo., Dec. 21.—A sequel to the Wurl murder mystery has just been described in a letter received by Fred Matthes of this city from Mrs. Otto Krūger who went to South Africa in company with Ludwig Wurl shortly after Mrs. Wurl's murder. This letter tells of the wanderings of the couple and of Wurl's suicide. Before killing hiraburn's body to-morrow. An effort to find Mrs. Rathburn late to-night falled.

WIPE MURDERER A SUICIDE.

Wurl. Conscience-Stricken. Kills Himself in South Africa.

Water House of less than five weeks. He returned from a European trip on Nov. 8, apparently in the best of health. In two weeks typhoid developed.

Gov. Wolcott died at his home on Commonwealth de avenue late this after an illness of less than five my five from a European trip on Nov. 8, apparently in the best of health. In two weeks to the Tevarre of Massachusets. He was been of the Murl murder mystery has just been described in a letter received by Fred Matthes of this from Africa.

Gov. Wolcott died at his home on Commonwealth de avenue late t

# DR. WISE'S SUCCESSOR

#### Dr. Talcott and Dr. Filgrim Mentioned -Eligible List Restricted.

ALBANY, Dec. 21.-Much interest manifested as to who will succeed Dr. Wise as President of the State Commission in Lunacy. Under the law he must have been ten given out by the prosecution, was circulated yesterday;

Mrs. Elizabeth E. Burnz, grandmother of the accused vouth, is to be introduced as a witness against him next week. Mrs. Burnz lived with her daughter-in-law and grandson until she was driven out by persecution, she says.

A year ago she left the house and went to a sanitarium at Waiter's Park, Berks county, Pa. She is now over 80 years old and having read that Mrs. Burnz had testified that her son's insunity was inherited from the prosecution, while the younger men have not yet earned their official spurs. Dr. Peterson of New York, who has been mentioned, does not possess the necessary hospital experience. years in practice as a physician and must

however, with their present positions, while
the younger men have not yet earned their
official spurs. Dr. Peterson of New York, who
has been mentioned, does not possess the
necessary hospital experience.
The two candidates most prominently
mentioned recently are Dr. Talcott of the
Homeopathic Hospital at Middletown and Dr.
Pilgrim of the Hudson River State Hospital.
Dr. Talcott is a veteran of the Civil War,
Dr. Pilgrim has been superintendent of the
Willard and Hudson River State Hospitals
for nearly ten years and has brought about
great economies in the administration of the
last named hospital.

# BOY SHOPLIFTERS NABBED.

#### Going Around the Stores With a Wagon Pull of Stolen Toys and Candy.

James Flynn of 547 West Fifty-s eventh street, Thomas Dovle of 220 West Sixty-first street and Frank Kelly of 237 West Sixtleth street, whose ages are 12, 11, and 10 respectively, are locked up in the West Sixtyeighth street police station charged with petty larceny. Petty larceny in their case setty larceny. Petty larceny in their case sovers an original method of accumulating christmas presents.

When arrested at a c'clock last night at timsterdam avenue and Sixty-second street by Detectives Deering and Trainor the boys were making a trip in a wagen around the hops gathering in all the desirable articles hey could pick up. Three hours before tohert Harris, an expressing of 210 West dixtieth street, had reported to the police hat the wagen had been stolen, while the river was delivering a trunk in the neighborhood.

The boys told Sergt Churchill that they The boys told Sergt Churchin that they had had a fine time "collecting Christmas presents." In the wagon was a lot of miscellaneous merchandise which had been stolen. Some of it was returned to the owners. The rest, consisting of toys and candy, is await-

# BEAT AND ROBBED THEIR EMPLOYER.

#### Italians Said He Wouldn't Pay Their Wages -Got Him Down and Took His Jewelry, YONKERS, N. Y., Dec. 21,-James Ciarcio of

Mount Vernon, a French landscape gardener, who is doing some work on the old Hartley place in Yonkers Park, which Adrian Iselin making over into a convalescents' home, was beaten and robbed to-day by Peter was beaten and robbed to-day by Peter Marguil and Thomas Michelo, two Italians who worked for him.

Ciarcio employs a large number of men and recently there has been complaint among them of tardiness on Ciarcio's part in paying them. The men say they have been put off by Ciarcio on the ground that Mr. Iselin had not paid him. To-day Marguil and Michelo demanded money they said was due and threstened to kill Ciarcio if he didn't pay them. Ciarcio tred to get away but they got him down, ted his arms and gagged him. Then they went through his pockets, took such lewelry as he had, and made off. The Italians were arrested at Bronxville and are held on a charge of highway robbery.

# Money Order Basiness Enormons.

The extent of the money order business the New York Post Office for the first sixteen working days of December surpassed all previous figures for a like period in the history of the office. The domestic money orders pald for this period at the General Post Office alone numbered 227,008 and amounted to \$1,261,786.

### COURT'S VIEW OF LOBBYING

### PPELLATE DIVISION GRANTS ROWARD DUNHAM A NEW TRIAL.

Company for an Accounting for Pay for His Services in Securing Asphalt Paying Contracts From the City of New York. Edward R. Dunham obtained from the opellate Division of the Supreme Court yesterday an order for a new trial of his action for an accounting against the Hastings Pavement Company, which was dismissed his point he quoted the Rev. Dr. Furry, who by the lower court on the ground that his prominently connected with the Doyers | contract was against public policy and void.

were soo white girls living lilicity with Chinamen in Nevi York city and that several of these girls were the daughters of Christian ministers. He also quoted Dr Furry as saying that in most of the cases the first downward step of the girls came through from the proofs "that the purpose of the contract was to secure the passage by the Board of Aldermen and the adoption by the city of New York of ordinances authorizing the paving of particular streets in the city of New York with asphalt pavement and that the resolution should be broad enough to include the kind of asphalt blocks pavement which plaintiff was trying to have introduced

in New York." This contract the Court said was against public policy. It appeared, the higher court holds, that before 1890 the only asphalting in the city was in sheet form. The defendant furnishes blocks of asphalt and it employed the plaintiff to introduce this method of paving. In 1890 plaintiff procured leave from the city

blocks of asphalt and it employed the plaintiff to introduce this method of paving. In 1890 plaintiff procured leave from the city to asphalt one block in this way, it being provided that bids for such work should not be put in until the block had stood the test of five years. The five years having expired plaintiff was employed to get what contracts he could, the defendant to pay 15 cents a square yard to him as commission. The contract provided that he should employ all lawful methods to get the contracts. Through the years 1893, 1896 and 1897 with the assistance of Roillin M. Morgan he procured large contracts for city asphalting.

The Court says that Dunham's services in part consisted of seeing the Mayor, Commissioner Brookfield, members of the Board of Aldermen, city experts in paving, and visits to other cities to ascertain the results of asphalting. The paving required resolutions of the Board of Aldermen, which would let in this kind of asphalting. The pointon of the Court, which is written by Justice Hatch, says that if the contract was made for lobbying it would be void. The decision proceeds:

These lobby services are generally defined to mean the use of personal solicitation, the exercise of personal influence, and improper or corrupt methods, whereof legislation or official action is to be the product. It is not, however, the doing of the improper act which is the sole test. There must be the contract and intent that it shall be performed, Of course, the doing of the unhauful act is or may be evidence of the intent and characterize the contract, but it is not necessarily conclusive of it.

The circumstances of the case would have warranted the jury in finding that this was not a contract for lobbying, says the Court, and the decision continues:

"It must be the right of every citizen who is interested in any proposed legislation to employ an agent for compensation payable to him to draw his bill and explain it to any committee, or to any member of a committee, or to any member of a committee, or o

# WIFE MURDERER A SUICIDE.

# NAVAL CADET TRIES SUICIDE.

### Came From England Recently on a Three Months' Furlough.

HALIPAX, N. S., Dec. 21 .- Three weeks ago Reginald Wyse of Canterbury, England, wearing the uniform of a cadet of the British Navy, arrived from Liverpool. He said he was on three months' furlough and that he was on three months' furlough and that he was going to New York and then to Chicago. He took expensive rooms at a hotel, paying one week's board in advance. To-night he staggered into a house on the outskirts of the town with a bullet in his right lung. He said that he had been attacked by robbers. The police say that it is a case of attempted suicide. Wyse attended the theatre here every night when the Valentine Stock Company was performing and has the names of Miss Nora O'Brien and Miss kate Blancke, the leading women, in an autograph album. the leading women, in an autograph album The company went to St. John recently.

# THIS WOMAN WANTS EXCITEMENT.

#### So She Cuts Her Wrists, Sumps From a Fourth-Story Window and Sets Fire to Her Dress.

Mary Matzala, 43 years old, of 114 Monroe street, made the third attempt to kill herself street, made the third attempt to kill herself within a few months yesterday. Not long ago she slashed her wrist with a razer and on Dec. 13 jumped from a fourth-story window to the sidewalk. Her third attempt was with fire. She sprinkled her dress with kerosene yesterday alternoon, set fire to it and ran screeming to the street. Policeman Eargott smothered the flames and sent her to the hospital. The police and doctors say she is sane, but craves excitement and notoriety and wants to see her name in the papers.

### Suicide Lay Down in Front of Train, PATERSON, N. J., Dec. 21 -- Edward Van Lonski, 40 years old, of 4 Alabama avenue, had a quarrel with his wife early this morning, and going to the Eric Railroad nearby lay down in front of the newspaper train and was killed. The police got the story of the quarrel from neighbors, but Mrs. Van Lonski when she appeared at the morgue denied it.

# Choice Gifts

Nowhere else can those seeking gifts find such a rich and varied collection in ornamental housefurnishings of every description.

# TIFFANY ( STVDIOS 333TO341FOVRTHAVENVE

(Bes 84th and 25th Sts.) New York.

Our recent importations of Rugs from the Orient are particularly rich in design and quality. These rugs are offered at moderate prices.

Rare Rugs.

# A BRIDGE TICKET TROUBLE.

### How to Prevent Passengers Hiding Through to Bath Beach for Three Cents.

It has been practically decided to begin running all Brooklyn elevated trains over the Bridge early next week, but the Brooklyn Rapid Transit Company officials are in a quandary as to the best means of dividing the three-cent riders on bridge cars from those who pay five cents to ride on both the Bridge and elevated cars. On the present plan two tickets are sold for five cents. One of these is used to ride on the Bridge and the other is dropped in the ticket box on the Brooklyn side when the transfer is made to the elevated road. The question now is, What is

Brooklyn side when the transfer is made to the elevated road. The question now is, what is to prevent passengers when the elevated cars run over the Bridge from dropping one ticket in the box at this end and riding through for three cents?

One of the changes suggested is to reserve one platform at this end of the Bridge for elevated road passengers and use the other one exclusively for Bridge passengers. At the Brooklyn side it has been suggested that the elevated trains use the incoming Bridge platform and do away entirely with the elevated Bridge station now on Sands street between Fulton and Washington street. Nothing definite has been decided, but it is said that the company thinks favorably of the above plan.

### COMSTOCK AND THE POLICY MEN. Capt. Goddard and Mr. Strong Pat Out Over Anti-Vice Man's Attitude.

The policy controversy between Capt. Norton Goddard and Theron G. Strong on the one side and Secretary Comstock of the Society for the Suppression of Vice on the other continued yesterday, Mr. Comstock declaring that he had been treated outrageously by Capt. Goddard and Mr. Strong. They maintain that Mr. Comstock acted practically in the interests of the policy men practically in the interests of the policy men in Albany last year, and that since then he has not been strenuous enough in prosecuting policy dealers and agents. Yesterday Mr Comstock said that he first met Mr. Strong in Capt. Goddard's office, and that Mr. Strong had drawn an anti-policy measure that practically made it a felony for a man to have a lead pencil in his pocket. Mr. Constock wanted the bill changed, whereupon Mr. Strong said that the policy men would be delighted to hear him talk that way. Mr. Strong and Capt. Goddard have both issued statements questioning Mr. Comstock's attitude toward policy legislation.

# DEATH OF JOHN HART BREWER.

to American Pottery. TRENTON, N. J., Dec. 21 .- Ex-Congressman John Hart Brewer, Assistant Appraiser of the port of New York, died this afternoon at 5 o'clock. He had been ill for about three weeks. He was a lineal descendent of John Hart, one of the signers of the Declaration of Independence, and was born in Hunterdon county, March 29, 1844. In 1862 he wa graduated from a college at Franklin, N. Y He came to Trenton in 1865 and engaged in the pottery business, the firm being Bloor, Ott & Brower. In 1894 Mr. Brower organized the Hart Brower Pottery Company and became its President, but a year later withdrew.

Mr. Brower was a member of the Legislature in 1872, and from 1870 to 1884 represented

Mr. Brewer was a member of the Legislature in 1875, and from 1880 to 1884 represented this district in Congress. As a Congressman he gained a national reputation principally for his work on the tariff and on the life-saving service. He was in Congress with President McKinley, and the friendship there formed secured him later the appointment of Assistant Appraiser of New York. Mr. Brewer spent money liberally to bring the potter's art in this country into successful competition with that of Europe. It was he who first produced Belleek ware here. To his energy and progressiveness, Trenton owes much of the position she now holds in the pottery trade.

### ROGER WOLCOTT DEAD.

#### Former Governor of Massachusetts Dies to Boston of Typhoid Fever.

BOSTON, Dec. 21 .- Former Governor Roger Wolcott died at his home on Commonwealth

school and was graduated in 1874, being admitted to practice the same year.

The murder cocurred on Oct. 26, 1896, at the Wurl ranch, two miles from Tie Siding.

Mrs. Wurl was found dead in the barn, her skull crushed by a boulder and her body wounded by knife and shovel. Wurl and Hans Delfs were suspected of the murder but no evidence could be procured. Two years ago Hans Delfs committed to practice the same year.

Ha began his public life in 1877 with his election to the Common Council. In 1882 her was sent to the House of Representatives and served three years. In 1892 he was elected Lieutenant-Governor and served three terms in that office. When Gov. Greenhalge died in March, 1896, he became a ting but no evidence could be procured. Two years ago Hans Delfs committed to practice the same year.

Ha began his public life in 1877 with his election to the Common Council. In 1882 her was served three years. In 1892 he was elected Lieutenant-Governor and served three terms in that office. When Gov. Greenhalge died in March, 1896, he became a ting two succeeding elections. He was prominent in social life and was a member of many of the leading clubs. The Ambassadorship to Italy we offered to him recently by President McKinley. A widow and four children survive.

# MRS. WILLIAM P. FRYE,

#### Wife of the Sentor Senator from Maine Dies in Washington.

WASHINGTON, Dec. 21 .- Mrs. Frve. wife of Senator William P. Frye, of Maine, president pro tem. of the Senate, died this morning at her apartments in the Hamilton Hotel at her apartments in the Hamilton Hotel.

She had been ill since Tuesday last, when she suffered from a sudden attack of acute indirection while in her carriage making calls Herrt flure followed. The body will be taken to Lewiston, Me., for burid, When Sentter Frye was sent to Parts as a Peace Commissioner after the Spanish-American War, Mrs. Frye accompanied him and wrote a series of letters to the Lewiston Journal giving her Yankee views of Paris life and customs. These letters, written in the bright, unattected and somewiews of Paris life and customs. I ness letters, written in the bright, unaffected and somewhat caustic style in which Mrs. Frye always conversed, attracted considerable attention. They could not be called "durlomatic" letters, for Mrs. Frye prided herself on her adherence to the doctrine of "free speech."

Congressmen Richard A. Wise of the Second District of Virginia, who was scated last session by a contest, is dead at his home in Willi meburg, Va. He was born in Philadelphia in 1883 was educated at private schools and at William and Mary College, leaving that institution before graduation to enlist in the Confederate Army. He served throughout the Civil War, and at its close was assistant inspector of Wise's brigade, Army of Northern Virginia. He was graduated in medicine from William and Mary College in 1867, and had since practised his profession. He was recently defeated for reflection by Harry L. Maynard of Portsmouth, Va., and was expected to contest Maynard's seat.

Charles Erskine, who was believed to

charles Erskine, who was believed to have been the only survivor of the United States expedition which explored the Arctic regions under Admiral Wilkes, in 1838-1840 and discovered the continent there, died at his home in Roxbury, Mass., yesterday, axed 78. He served twenty years before the mast and was a typical old salt, never tiring of spinning yarns of his life at sea.

Dayld Urigh Harrman, died of the United States.

at see.

David Urlah Herrmann died of typhoid fever at the Hotel Netherland on Thursday. He was 40 years old and for fifteen years had been a partner in the Stock Exchange firm of L. Levy & Co., 52 Brondway. He was a son of Urlah Herrmann and was a member of the Criterion Club.

Patrick O'Neill, 73 years old, a contractor, died yesterday at 37 Concord street, Jersey City. He carried out many public improvement contracts, including the pavement of many miles of the city's streets. many miles of the city's streets.

Edward Cullen. 90 years old, a resident of Jersey City for half a century, died yesterday at his home, 223 First street. He was an assessor many years ago. He is survived by a widow and one daughter.

Thomas Rodman, Sr., aged 78, for years President of the Farmers' Bank of Kentucky, died at his home in Frankfort in that State yesterday after an illness of several weeks.

Thomas 1. Cook of Brooklyn diad Thursdes. Thomas L. Cook of Brooklyn died Thursday night at the Barcelona Hotel, St. Augustine, Fla., of paridysis. He went there a few days ago for his healte.

# Cut to Pieces by a Train.

HOBOKEN, N. J., Dec. 21 .- Two boys found the feet and legs of a man on the West Shore Railroad tracks at Fifth street, Hoboken, Railroad tracks at Fifth street, Hoboken, last night. They notified the police, who made a search along the tracks and found the body. It was learned that the man had fallen from a freight train. On the body was a working card issued by the Compressed Air and Foundation Workers of America from headquarters at 147 West Twenty-second street, Manhattan, to Peter Rice. The man appeared to be about 20 years offage.

# LYNCHED THE WRONG MAN.

# THE VICTIM OF THE MOD AT GULPPORT. MISS., WAS INNOCENT.

and Took the First One They Thought Was Gullty -Then They Burned a Negro Church -"Better Element" Now in Control

New ORLEANS, La., Dec. 21,-The mem-bers of the mob at Gulfport, Miss., which lynched a negro yesterday, discovered today that they made a mistake and lynched the wrong man. He was an inoffensive negro. The mob started after Alvin Lewis. his son Joe and Henry Lewis, who is said to be a cousin. Several negroes were rounded up, among them Alvin, Joe and a young negro said to be Henry. It was the latter who was promptly shot to death by the mob as the murderer of Marshal Richardson. The lynched negro was not Henry Lewis

The latter has succeeded in making good his escape and it is upon Henry that the guilt of the murder has been fixed. The father Alvin, over whose arrest the trouble arcse, has disappeared. When he was taken to the Gulfport jail, the mob demanded that he be lynched and nothing but the firmness and courage of the deputy sheriff prevented this. The mob came back a second time to lynch him, and it was deemed prudent to take the prisoner out of town. He has completely disappeared from sight. It was reported that he was confined in the Meridian jall for safe keeping, but this is shown to be a mistake. Whether he is confined somewhere else, or whether the mob got hold of him and lynched him remains in doubt.

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The Baptist Church was burned because Alvin Lewis, who washomewhat of a preacher, occasionally preached there, and because some of the clothing of the refugees was found there after the assassination of Richardson. This showed that the negroes had made the church their headquarters.

The congregation of the burned church held a meeting and adopted the following resolutions: resolutions:
"We, the undersigned colored citizens of resolutions:

"We, the undersigned colored citizens of Gulfport, are in deep regret at the loss of our reliable officer who was assassinated by the coward on Dec. 10, and be it known that we are willing and also ready to assist in capturing the monster. We offer you our compliments through our worthy pastor of the Colored Baptist Church of culfport, notwithstanding we are much humiliated over the loss of our church, and we pray for your consideration. We are poor but anxious to manifest an honest reputition.

These resolutions had the effect of arousing sympathy toward the negroes on the part of the white people of Gulfport. The burning of the church is generally reprobated and the whites will raise the money needed to rebuild it. The "better element" of the whites are in control at Gulfport now and declare that there shall be no more violence. It will be impossible for them to stop the lynching of Henry Lewis if he is

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### STRIKE INJUNCTION SUSTAINED. Appellate Division Upholds ( wer Court in the

S. I. Davis & Co. Case. Two appeals from orders involving injuncions sought against the Cigarmakers' International Union, and Local 144, their officers and members were decided by the Appel-late Division of the Supreme Court yesterday. S. I. Davis & Co., cigar manufacturers at 520 East Eighty-first street, obtained a sweeping injunction against these defendants from Justice Lawrence forbidding interference with their business. It had been shown that their employees were willing to continue in the employment but that the union had so interfered that the employees struck. The premises of the plaintiffs were not only picketed, but persons seeking work there were assaulted. From the injunction, which was obtained in behalf of plaintiffs by Kurgman & Frankenheimer, the defendants appealed to the Appellate Division.

Justice Rumsey, in writing the opinion of the Appellate Division, with the other Justices oncurring, says that such orders are largely in the discretion of the court, and where the determination of the court, and where the determination of the court below has involved the examination of many affidavits to ascertain the truth in respect to them, a reversal will not be ordered usually unless it appears that the lower court was clearly wrong. The court says that the case has been at Issue since March 5 and the defendants have not brought on the trial but have preferred to review the discretion of the court on the motion. The calendar has been such that they could have had their rights absolutely determined before this time by oral evidence at a trial. In view of these dreumstances and that it does not clearly appear that the injunction was improperly granted the lower court is sustained.

The other case was brought by Sigismund Levy A Co., cigar makers at 423 and 425 East Sixty-third street. There an injunction issued by Justice Freedman was set aside by Justice Andrews, and the appeal of the plaintiffs was from the decision of Justice Andrews. The decision of Justice Freedman went farther than former decisions in preventing payment of money known as strike benefits by the unions to the strikers. Justice Andrews is affirmed for the same reasons as stated in the Davis case. It appeared that the plaintiffs had determination of the court below has inaffirmed for the same reasons as stated in the Davis case. It appeared that the plaintiffs had relied on the appeal from the order of Justice Andrews without bringing the injunction suit on for trial.

In the main the injunction which stands on appeal and the one which remains vacated on the appeal are the same, so that legal forms of procedure establish adverse decisions on

# SANTA FE STRIKE OFF.

Order to the Telegraphers by Their President Acknowledging Defeat. GALVESTON, Tex., Dec. 21 .- An order was issued this morning from the headquarters of the Order of Rallway Telegraphers in this city declaring the strike against the Gulf, Colorado and Santa Fé Railway off after noon to-mor-row. This order is authorized by President Dolphin and evidently will be operative on the entire Santa Fé system.

A Costly and Disastrous Strike. The Cigarmakers' International Urion in a report it issued yesterday announces that the recent strike of cig rmakers here, which ended disastrously for the strikers, cost the union \$138,000 in contributions, independent of regular strike benefits. Thousands of dollars were also received by the strikers from other sources.

Dollar Fine for Each Non-Union Smoke. Local Unions 9 and 55 of the United Garment Workers has adopted a new rule fining every member who smokes a non-union cigar or cigarette \$i for each non-union smoke. A walking delegate who is responsi-ble for both unions was instructed to keep a lookout for violations.

Council Authorizes \$2,000,000 Bond Issue. The Council heid a clearing-up session vesterday afternoon to dispose of some of its accumulated business. The most important matter acted upon was the bond issue of \$2,000,000 for repaying streets. This was authorized. The Council refused to authorize a bond issue of \$60,000 for cases and stuffing in the Museum of Natural History, because the resolution provided that the work might be done without public letting.

The League for Political Education sent class of eight women yesterday to the Court of Special Sessions to study its ordinary ousiness. The women appeared to be greatly interested in the handling of the day's calendar and paid particular attention to the trial of a young man from Eighth avenue who was acquitted of the charge of stealing an overcoat. The class was under the leadership of Miss Mary A. Field.

Babies have troubles enough that can't be helped; don't let 'em run down and get thin. A thin baby is never healthy. Loss of fat is not a mere accident, something to be indiffer-

Give 'em Scott's emulsion of cod-liver oil; it's the best baby-food in the world, whenever the better one isn't enough.

We'll send you a little to try, if you like. SCOTT & BOWNE, 409 Pour! street. Now York



# SCHOOL CHILDREN

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# Cook's Flaked Rice

is the best breakfast cereal for young and old, and will be relished

whether the appetite is dainty or strong, Put the dry flakes in the colander, pour salted boiling water on them, shake slightly, drain, and turn out on a hot dish.

ABSOLUTELY NO COOKING.

ALL GROCERS.

15 cents a Large Package.

# You Take Cold Easily

winter must be an anxious time for you.

# KOTEDSILK

is almost an insurance against colds and their attendant evils. It is a double fabric. Pure silk on the finest cotton. Fits like tailor work, and is so well finished that it outlasts two suits of less perfectly constructed underwear.

See the word KOTEDSILK on every garment

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# MERIT IS CLAIMED

and justly, by a great variety of dress fasteners. Perfection is only achieved by one. The

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It is the newest thought of a clever, practical brain, worked out by the most competent hands and best machinery.

CLOSED by a touch. OPENED by a pull. Made in various sizes. If your dealer does not keep them, send 10 cts. for a sample card. Say whether white or black.

SNAP HOOK & EYE CO., 377 Broadway, N. Y. City.

DIKES BURST; TOWN FLOODED. Water Four Feet Deep in the Streets of Steves

ton - Rained Forty Days. VANCOUVER, B. C., Dec. 21.—The dikes keeping out the Fraser River waters from ow lying lands near the big fishing town Steveston, gave away yesterday after a gale of wind following rain which had fallen almost continuously for forty days. The water is now four feet deep in the streets of Steveston. A large area of farm land is also under water.

# Manhattan Club's Anniversary. David B. Hill of Albany, John B. Stanch-

field of Elmira and many other eminent Democratic statesmen will be in town this evening to assist the members of the Manhattan Club in the celebration of the thirty-fifth anniversary of the organization of that institution. The celebration will be held in the club's home on Madison avenue, and Justice Truax, the President, is to be the chair-

Run Down by a Train on a Trestle. Charles Rankin, 28 years old, a foreman carpenter employed by the Lehigh Velley Railroad, was run over and killed this afternoon by a freight train on the Lehigh trestle near the Newark Bay bridge in Jersey City. He lived on Old Bergen road near Neptune

# NEW BRUNSWICK, N. J., Dec. 21 .- The

funeral of George Craig Ludlow, ex-Governor and Supreme Court Justice of New Jersey, took place this afternoon in the First Pre-byterian Church of this city. The services were conducted by the Rev. Dr. W. W. Knox, pastor of the church. The Rev. Jacob Cooper, Vice-President of Rutgers College, delivered

# Stock Broker's Expulsion Sustained.

The action of the lower court in sustaining the dismissal of Charles Neukirch from the Stock Exchange by its board of governors has been sustained by the Appellate Division of the Supreme Court. The plaintiff was charged with taking part in alleged fictitous sales of stocks in connection with the firm of E. S. Dean & Co.

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